

REMARKS

Claims 1, 3-5, 7-50, and 52-64 are pending and at issue.

Of these claims, claims 8-10, 13, 19, 20, 28, 31-33, 41, and 52 have been confirmed as reciting allowable subject matter. The remaining claims stand rejected under one of two prior art rejections, an anticipation rejection based on Forehand or an obviousness rejection based on Forehand. Of the rejected claims, claims 1, 23, 35, 38, and 56 are the only independent claims. Additionally, claims 6, 8, and 42 have been objected to based on listed informalities, and claim 7 has been objected to as being a substantial duplicate of claim 6.

The claim objections and the double-patenting rejection are obviated in light of the amendments above. With respect to the prior art rejections, however, the applicants respectfully traverse and request reconsideration in light of the remarks outlined below.

Claim 1 recites a door latching system including a latch assembly mountable adjacent to a sectional door and being movable from a maintained release position to a door-blocking position in response to movement of the sectional door. The door latching system also includes a traveling member mountable to the plurality of door panels such that the traveling member is able to engage the latch assembly as the plurality of door panels move from the closed position to the open position, "wherein the traveling member engaging the latch assembly mechanically moves the latch assembly from the maintained release position to the door-blocking position." Neither Forehand nor any of the art of record teaches the recited subject matter.

In rejecting claim 1, the office action points to Forehand's locking device 23 as demonstrating a portion of a latch assembly. Further, the office action concludes that along with electrically-controlled solenoid 65 and plunger 67, sensors 85 and 87 also form part of a latching assembly. Trip arm 95 is considered as demonstrating the recited traveling member.

The applicants respectfully traverse these characterizations and assert that the structures in Forehand are quite different from examples in the present application. The locking device of Forehand, for example, is actuated by electrical sensors that form the electrical control circuit in Figure 6, in which an open circuit condition actuates the pin. There is no teaching or suggestion of mechanical movement of a latching assembly via engagement with a traveling member. Instead, Forehand's locking pin is displaced in response to electrical signals from the sensors. In fact, this remote electrical actuation is what allows Forehand's device to sense when the door reaches its fully open and fully closed positions, as these two conditions are sensed at entirely different locations.

Electrical control, such as this, is quite different from that disclosed in embodiments of the present application, e.g., figures 1-13. Furthermore, this control is quite different than the recited subject matter wherein engagement between the traveling member and the latch assembly "mechanically moves the latch assembly from the maintained release position to the door-blocking position," as recited in claim 1. Mechanical movement can have numerous advantages over electrically-controlled movement, which can add unnecessary complexity to device operation.

In any event, as claim 1 recites wherein the "traveling member engaging the latch assembly mechanically moves the latch assembly from the maintained release position to the door-blocking position," it cannot be fairly held that Forehand teaches the recited subject matter. The rejections of claim 1 and claims 3-5, 7-22 depending therefrom are traversed. The claims are in condition for immediate allowance.

The applicants further note with respect to claims 4 and 5, in particular, the office action appears to misconstrue the plate 79 of Forehand, which the office action has called a releasing member. In fact, the plate serves no releasing or retracting function at all,

but rather is simply a slot cover. The plate acts as a thin manually positioned disabling plate that may be mounted to block the vertical slot 73 through which the pin moves. But for blocking to occur, one would have to first manually withdraw the latch member and then slide plate over the opening to prevent the spring loaded plunger from sticking the latch member back in the hole. See, col. 6, line 67-Col. 7, line 13. Nowhere does Forehand suggest or teach that its plate moves the locking pin. As such, the plate is not a releasing member, much less a releasing member that "moves the latch assembly from the door-blocking position to the maintained release position upon manual manipulation of the releasing member." The rejections of claims 4 and 5 are traversed, not only by implication above, but also in light of these additional remarks.

Similar to claim 1, claim 23, as amended, recites "wherein the traveling member engaging the latch assembly mechanically moves the latch assembly from the maintained release position to the door-blocking position." For the reasons provided above, independent claim 23 and claims 24-34 depending therefrom are all in condition for immediate allowance.

Claim 38 is drawn to a door latching system including a traveling member, "wherein the traveling member engaging a sensing member mechanically moves the latch member from the maintained release position to the door-blocking position." Although claim 38 is directed to somewhat different subject matter than claims 1 and 23, the distinctions with Forehand are similarly apparent. Forehand nowhere teaches a door latching system having a traveling member that engages a sensing member, nor does Forehand teach a door latching system where an engagement mechanically moves a latch member. In contrast, the application describes numerous examples of mechanical contact between a traveling member and a sensing member to unlatch a latch member. As a result of these differences, Forehand

cannot be fairly described as teaching the subject matter of claim 38, claims 40-42, or claims 46-56 depending therefrom.

Claim 35 is an independent method claim which, as amended, recites "subsequently mechanically moving the latch assembly to a door-blocking position in response to a traveling member engaging the latching assembly as the plurality of door panel members move from the closed position to the open position." Although this is a method claim, the applicants have outlined above reasons why Forehand does not teach any structure performing the recited method. Forehand, for example, does not teach or suggest any structure for subsequently mechanically moving the latch assembly to a door-blocking position in response to a traveling member engaging the locking assembly. Claim 35 and claims 36 and 37 depending therefrom are in condition for immediate allowance.

Claim 56 is another independent method claim that includes sensing that a plurality of door panels have reached an open position in response to a traveling member engaging the latching assembly, and "mechanically actuating a latch assembly such that the latch assembly mechanically moves from the released position to the door blocking position upon sensing that the plurality of door panels having reached the open position." Similar with the remarks above, Forehand cannot be described as teaching or suggesting any structure that mechanically actuates the latch assembly such that the latch assembly mechanically moves from the released position to the door-blocking position. Instead, Forehand expressly describes electrical solenoid actuation on its locking pin. Claims 56-64 are in condition for immediate allowance.

The rejections of claims 21, 34 and 53 as obvious are traversed as provided in the foregoing remarks, as well. Each of these claims is a dependent claim that makes reference to a second latching assembly. Yet, as Forehand does not teach the recited first

latching assemblies, it cannot be held to suggest, in any way, both a first and second latching assembly. Furthermore, there is no teaching, suggestion or motivation to modify the structures of Forehand to provide such subject matter. *A fortiori*, the (indeed any) obviousness rejections are improper.

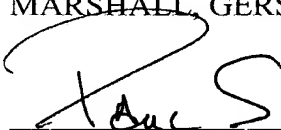
In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Respectfully submitted,

MARSHALL GERSTEIN & BORUN LLP

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By:



Paul B. Stephens (Reg. No. 47,970)
Attorneys for Applicants
6300 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606-6357
(312) 474-6300